FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.

APPEAL FROM ORDER NO. 739 OF 2004.

Office Notes,Office Memoranda of Coram, appearnaces,Courts's orders or directions and Registrar's orders.	:	Court's or Judge's orders

---

CORAM: V.C.DAGA,J.
DATED: 6-9-2004.

P.C.:

. Heard rival parties.

2. This appeal is directed against the order dated 5th May 2004 passed by the Civil Court, Mumbai, whereby Notice of Motion No. 2803 of 2003 dated 28.7.2003 and Notice of Motion No. 3339 of 2003 dated 13.8.2003 are partly allowed for the reasons stated in the order.

3. Both the parties agree that the impugned order be set aside without recording any reasons and without going into merits and demerits of the same and that the ad-interim order dated 8th December 2003 be made operative for a period of 6 weeks from today and the matter be remitted back to the trial Court

with direction to hear the parties afresh and decide the motion in accordance with law.

4. In the meanwhile, it would be open for the appellants to amplify their submissions already made in the plaint. The trial Court is directed to hear rival parties and decide Notice of Motion by a reasoned order, as expeditiously as possible, at any rate within 8 weeks from the date of receipt of this order, keeping in mind that interim relief is always granted in the aid of final relief. Appeal stands disposed of in terms of this order.

5. Parties to act on copy of this order duly authenticated by the Court Associates/P.A.